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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Christine Baker,)	
)	
Plaintiff,)	No. CIV 03-525-PCT RCB
)	
vs.)	O R D E R
)	
Fair Isaac and Company,)	
et al.,)	
)	
Defendants.)	

On March 15, 2006, Plaintiff Christine Baker ("Baker") filed a motion requesting leave to file a First Amended Complaint in this matter. Mot. for Leave (doc. 248). Baker seeks to amend her Complaint by removing the parties that have already been dismissed from this lawsuit, and adding new claims against Defendants Experian and ConsumerInfo.com. Id. at 1-2. In addition, Baker seeks to add claims against Verizon for negligence and gross negligence, and claims under the Fair Debt Collection Practices Act ("FDCPA"). Id. at 2, 10.

Verizon opposes Baker's motion and asserts that it should be denied. D. Resp. (doc. 257). Among other things, Verizon argues

1 that Baker's motion should be denied because of her undue delay.

2 Id. at 9-11.

3 Here, Plaintiff's Motion to Amend was filed **three**
4 **years** after Plaintiff filed her original
5 complaint. Yet, the Amended Complaint contains no
6 newly discovered information. Instead, the Amended
7 Complaint simplifies, re-orders, and regurgitates
8 the allegations contained in the original
9 Complaint. Given that after three full years,
10 Plaintiff has come forward with no new facts to
11 support her claims, Plaintiff's request to amend
12 is the product of excessive and undue delay.

13 Id. at 10. Baker fails to respond to this argument as it applies
14 to Verizon, or to Defendants Experian and ConsumerInfo.com. P.
15 Reply (doc. 266). Moreover, Defendants Experian and
16 ConsumerInfo.com failed to file any response to Baker's motion for
17 leave to amend, or join Verizon's response to such motion. The
18 effect of a denial of Baker's motion could be deemed to have a
19 similar effect on Experian and ConsumerInfo.com. Thus, the Court
20 does not know whether Defendants Experian and ConsumerInfo.com have
21 positions on either Baker's motion or on Verizon's opposition to
22 Baker's motion arguing undue delay.

23 Therefore,

24 IT IS ORDERED that Defendants Experian and ConsumerInfo.com
25 have ten (10) days from the date of this order to respond to
26 Baker's motion for leave to amend. Baker, to the extent she
27 wishes to do so, may file a reply to Defendants Experian and
28 ConsumerInfo.com's responses on or by ten (10) days from the date
29 . . .

1 of the filing of such response(s).

2 DATED this 16th day of May, 2006.

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5 Robert C. Broomfield
6 Senior United States District Judge
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8 Copies to counsel of record and Plaintiff, pro per.
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